

Master Plan for Aging

2021 LEGISLATIVE WINS

The California State Legislature is a key partner in advancing the Master Plan for Aging. Age- and disability-friendly legislation catalyzes action to improve the lives and well-being of older adults, people with disabilities, families, and caregivers. In 2021, Governor Newsom signed into law several of the Legislature's bills that support the goals of Master Plan for Aging. These policies take effect this year and will increase affordable housing, improve access to health care, expand long-term care services and supports, strengthen the direct care workforce, and more.

1

GOAL ONE: Housing for All Ages & Stages

SB 591: Senior citizens: intergenerational housing developments (Becker, Chapter 364, Statutes of 2021)

This bill permits the establishment of intergenerational housing developments that include older adults along with caregivers and transition age youth.



2

GOAL TWO: Health Reimagined

AB 323 Long-term health facilities (Kalra, Chapter 458, Statutes of 2021)

This bill changes the standard for the California Department of Public Health when issuing penalties against certain long-term care facilities for violations that result in the death of a resident and increases the minimum civil penalties that can be assessed against those facilities for various violations.

AB 570 Dependent parent health care coverage. (Santiago, Chapter 468, Statutes of 2021)

This bill requires an individual health plan contract or health insurance policy issued, amended, or renewed on or after January 1, 2022, that provides dependent coverage to make dependent coverage available to a qualifying parent or stepparent.

AB 749 Skilled nursing facilities: medical director certification (Nazarian, Chapter 586, Statutes of 2021)

This bill prohibits a skilled nursing facility from contracting with a person as a medical director if the person is not, or will not be within five years, certified by the American Board of Post-Acute and Long-Term Care Medicine as a Certified Medical Director.

AB 849 Skilled nursing facilities: intermediate care facilities: liability (Reyes, Chapter 471, Statutes of 2021)

This bill amends the damages that can be sought by a current or former resident or patient of a skilled nursing facility or intermediate care facility for violation of the resident or patient's rights from \$500 per lawsuit to \$500 per violation, with no limit on the number of violations that can be brought forward.



2



AB 1042 Skilled nursing facilities: unpaid penalties: related parties (Jones-Sawyer, Chapter 475, Statutes of 2021)

This bill authorizes the California Department of Public Health, when a skilled nursing facility (SNF) fails to pay certain penalties, to take legal action to recover the unpaid penalty amount from the SNF's financial interest in a related party.

AB 1280 California Hospice Licensure Act of 1990 (Irwin, Chapter 478, Statutes of 2021)

This bill prohibits a hospice referral source from receiving, directly or indirectly, any form of payment in exchange for referring a patient to hospice provider or facility and requires a hospice to provide verbal and written notice of the patient's rights and responsibilities in a language and manner the person understands before providing care.

SB 48 Medi-Cal: annual cognitive health assessment. (Limón, Chapter 484, Statutes of 2021)

This bill requires an annual cognitive health assessment be a covered benefit for Medi-Cal beneficiaries who are 65 years of age or older and not otherwise eligible for a similar assessment as part of the Medicare program. This bill also requires the Department of Health Care Services to determine the training and validated tools for Medi-Cal providers to render and receive payment for the covered benefit.

3



GOAL THREE: Inclusion & Equity, Not Isolation

AB 133 Health (Committee on Budget, Chapter 143, Statutes of 2021)

This bill, among other things, directs the California Department of Public Health to work with the Department of Aging to establish up to five demonstration projects that provide clinical and non-clinical services to older people living with HIV.

AB 636 Financial abuse of elder or dependent adults (Maienschein, Chapter 621, Statutes of 2021)

This bill authorizes adult protective services agencies to share information related to elder or dependent adult abuse with a federal law enforcement agency for the purpose of investigating a financial crime, and with a local code enforcement agency for the purpose of investigating an unlicensed care facility where the health and safety of an elder or dependent adult resident is at risk.

AB 665 Care facilities: internet access (Garcia, Chapter 469, Statutes of 2021)

This bill requires residential facilities serving adults, residential care facilities for persons with chronic life-threatening illness, and residential care facilities for the elderly with existing internet service to provide at least one internet access device, such as a computer, smart phone, tablet, or other device for clients and residents to use.

AB 1194 Conservatorship (Low, Chapter 417, Statutes of 2021)

This bill amends the Guardianship-Conservatorship Law to provide additional protections and rights for conservatees and requires better coordination between the courts and the Professional Fiduciaries Bureau within the Department of Consumer Affairs. This bill also requires a study of the state's conservatorship system be delivered to the legislature by January 12, 2024.

AB 1243 Protective orders: elder and dependent adults (Rubio, Chapter 273, Statutes of 2021)

This bill provides that restraining orders for elder or dependent adults may include specified remedies related to financial abuse or isolation.

3

SB 129 Budget Act of 2021 (Skinner, Chapter 69, Statutes of 2021)

This bill, among other things, approves reparations of up to \$25,000 per survivor of California's state-sponsored involuntary sterilization program that took place in women's prisons between 1909-1979.

SB 796 State parks: state beaches: County of Los Angeles: Manhattan State Beach: deed restrictions: taxation (Bradford, Chapter 435, Statutes of 2021)

This bill enables Los Angeles County to immediately begin the transfer of Bruce's Beach back to descendants of original owners, Wila and Charles Bruce, from whom the land was seized in 1924 via eminent domain by the City of Manhattan Beach.



4

GOAL FOUR: Caregiving That Works

SB 170 Budget Act of 2021 (Skinner, Chapter 240, Statutes of 2021)

This bill, among other things, authorizes CDA to utilize funds provided through the federal Home and Community-Based Services American Rescue Plan Fund to develop the Direct Care Workforce Training and Stipends Program which would further develop career pathways for non-In-Home Supportive Services direct care workers to help increase skills, job satisfaction, and retention, as well as opportunities to advance on career and wage ladders.



5

GOAL FIVE: Affording Aging

SB 639 Minimum wages: persons with disabilities (Durazo, Chapter 339, Statutes of 2021)

This bill prohibits employers from paying workers with disabilities less than the California minimum wage by phasing out certificate programs that permit subminimum wages for these employees.

